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OCT 20 2006

Docket No. F-8564

Ser. No. 10/522,379

REMARKS

Claims 13-17 are now pending in this application. Claims 1-12 are rejected. Claims 1-12 are cancelled herein. New claims 13-17 are added.

Applicant herein traverses and respectfully requests reconsideration of the rejection of the claims and objection cited in the above-referenced Office Action.

In response to the submission of an Information Disclosure Statement filed on March 7, 2005, the Office Action states that the foreign language references were not considered because a concise statement of relevance was not provided in conformance with 37 CFR §1.98(a)(3). Applicants herein traverse the Examiner's position.

The Examiner's attention is directed to MPEP § 609 A(3) wherein it is specifically stated that the concise explanation "may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y," or "A" indication on a search report . Therefore, full consideration of the references submitted is respectfully requested, and notice to that effect is requested in the next Office Action.

The specification is objected to for including drawings contrary to 37 CFR 1.58. The specification is amended to remove the drawings, and now describes in words the various structural configurations shown therein. No new matter is

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added, as the description merely follows what was already shown before the amendment. Withdrawal of the objection is respectfully solicited.

Claim 9 is similarly rejected under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention, because it includes drawings. The claim is cancelled, rendering the rejection moot.

Claims 1-2 are rejected under 35 U.S.C. §103(a) as obvious over the Filkow et al. reference (US 4,199,089) in view of the Merrill reference US 460,023). Claims 3-5 are rejected under 35 U.S.C. §103(a) as obvious over the Filkow et al. reference (US 4,199,089) in view of the Merrill reference US 460,023), and further in view of Kearns (US 1,369,341). Claims 6, 7, 8 and 10-11 are rejected under 35 U.S.C. §103(a) as obvious over the basic Filkow et al. and Merrill combination (used in the claims 1-2 rejection), further in respective view of Shikatani (US 4,472,836), Augustine (US 4,398,364), and Kearns.

The cancellation herein of claims 1-12 render these rejections moot. It is noted, however, that the subject matter of cancelled claims 9-12 is reflected in newly added claims 13-17 discussed below.

Claims 13-17 are added and are submitted as patentable over the cited art of record. Independent claim 13 recites subject matter directed to heating plates having a cross sectional concavity which defines an enlarged space between

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adjacent facing sides of the heating plates, and independent claim 16 recites subject matter directed to heating plates assuming a cross sectional shape obtained by modification of a generally rhomboid or rhombus shape by augmentation of at least one corner region which, among other features recited therein, are not believed disclosed in the cited art in the manner as claimed. Dependent claims 14, 15 and 17 are patentable based on the subject matter recited therein in addition to the subject matter of claims 13 and 16.

Applicant respectfully requests a one (1) month extension of time for responding to the Office Action. The fee of \$60 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

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In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

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